

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MARK ARDIRE	)	CASE NO. 1:09CV656
	)	
Plaintiff,	)	JUDGE ALDRICH
	)	
vs.	)	<b><u>POSITION STATEMENT REGARDING</u></b>
	)	<b><u>AGENDA FOR CASE MANAGEMENT</u></b>
JPMORGAN CHASE & CO.	)	<b><u>CONFERENCE</u></b>
	)	
Defendant.	)	
 <u>Defendant</u>		 <u>Chase Bank USA, N.A. (improperly named</u>
(Plaintiff/Defendant)		<u>as JPMorgan Chase &amp; Co.)</u>
		(Party Name)

Pursuant to Local Rule 16.3(b), the above party hereby submits the following statement of its position regarding the agenda for the Case Management Conference to be held on July 27, 2009.

1. This case should be assigned to the following track:

Expedited     Standard     Administrative  
 Complex     Mass Tort

2. This case  is/  is not suitable for one or more of the following Alternative Dispute Resolution (“ADR”) mechanisms:

Mediation     Arbitration     Early Neutral Evaluation  
 Summary Bench Trial     Summary Jury Trial

3. The above party  does/  does not consent to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c).
4. The above party will voluntarily disclose the following discovery information at or before the conference:

Defendant will disclose discovery information as required by Federal Rule of Civil Procedure 26(a). Defendant seeks leave of Court to make such disclosures within fourteen (14) days of the Case Management Conference.

5. The above party requests that discovery of the following type and extent be allowed in this case:

Plaintiff's claims are directly only against WaMu, and not against Chase. If necessary, Chase will seek discovery regarding the Discover credit card account, WaMu visa credit card account, any alleged transfers made, and the alleged \$1,500 dollars held by Discover. Chase anticipates filing an early dispositive motion pursuant to Federal Rule of Civil Procedure 12(c) and/or 56(b).

6. The above party requests that the following dates be set:

- a. Discovery cutoff: October 27, 2009
- b. Dispositive motion cutoff: November 27, 2009
- c. Deadline for adding new parties, claims or counterclaims: August 27, 2009
- d. Deadline for filing status report regarding settlement efforts (**one week after discovery cutoff**): November 3, 2009
- e. Deadline for proposed voir dire, proposed jury instructions, trial briefs and witness lists (**two weeks prior to trial date**): TBD
- f. Back-up trial date: TBD

s/Jill R. Yutzy  
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Attorneys for Defendant  
Chase Bank and David Peters

Date: July 23, 2009

**CERTIFICATE OF SERVICE**

I certify that on July 23, 2009, I filed the foregoing electronically. All parties will receive notice of this filing through the Court's electronic filing system and may access the filing through the Court's system. The following was served via first class mail postage prepaid at the following address:

Mark Ardire  
925 Bassett Road  
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Westlake, Ohio 44145

Plaintiff

s/Jill R. Yutzy

Jill R. Yutzy (0084089)